

## **2        RESPONSE AND REMARKS**

### **2.1      STATUS OF THE CLAIMS**

*Claims 181-192, 194-205 and 212-221 were pending at the time of the Action.*

*Claims 181-192, 194-205, and 216-221 have been canceled herein without prejudice and without disclaimer, as being drawn to the non-elected invention.*

*Claims 212 and 214 have been amended herein.*

*Claims 222-236 have been newly added herein.*

*Claims 212-215 and 222-236 are now pending in the application.*

### **2.2      SUPPORT FOR THE CLAIMS**

Support for each of the pending claims can be found throughout the original claims, Specification and figures as filed. It will be understood that no new matter is included within any of the newly-submitted claims. Due to the number of claims cancelled in the case to date, Applicants believe that no additional fees are necessitated by the presently added claims; however, should any such fees be determined to be necessary, the Assistant Commissioner is authorized to deduct such fees from Applicants' Representatives' Deposit Account as noted above.

New claim 222 corresponds to the objected to claim 189, re-written in independent form incorporating the limitations of the base and any intervening claims. Applicants note from page 19 of the Action that this claim would be found allowable. Applicants appreciate the Office's concurrence of same.

New claim 223 corresponds to the objected to claim 192, re-written in independent form incorporating the limitations of the base and any intervening claims. Applicants note from page 19 of the Action that this claim would be found allowable. Applicants appreciate the Office's concurrence of same.

New claim 224 corresponds to the objected to claim 201, re-written in independent form incorporating the limitations of the base and any intervening claims. Applicants note from page 19 of the Action that this claim would be found allowable. Applicants appreciate the Office's concurrence of same.

New claim 225 corresponds to the objected to claim 205, re-written in independent form incorporating the limitations of the base and any intervening claims. Applicants note from page

19 of the Action that this claim would be found allowable. Applicants appreciate the Office's concurrence of same.

New claim 226 corresponds to the objected to claim 219, re-written in independent form incorporating the limitations of the base and any intervening claims. Applicants note from page 19 of the Action that this claim would be found allowable. Applicants appreciate the Office's concurrence of same.

New claim 227 corresponds to the objected to claim 220, re-written in independent form incorporating the limitations of the base and any intervening claims. Applicants note from page 19 of the Action that this claim would be found allowable. Applicants appreciate the Office's concurrence of same.

New claims 228-236 correspond to the subject matter of original claims 182-185 and 187-189, but are now dependent upon allowed claims 212-215. As such Applicants believe that each of these claims is also in condition for allowance.

### **2.3 THE REJECTION OF CLAIMS UNDER 35 U. S. C. §103 IS MOOT**

Applicants note for the record that all previous rejection of claims as being allegedly obvious in view of various cited references is now moot in view of Applicants' decision to proceed to allowance with the subject matter of the previously allowed and indicated allowable claims. Without acquiescing in any way, and solely to proceed claims of commercial relevance to speedy allowance, Applicants have canceled these claims without prejudice and without disclaimer. Applicants specifically reserve their right, however, to re-file claims to the subject matter of the previously-rejected claims and to present further argument and reasoning in view of Applicants' ongoing position that all claims were non-obvious in subsequent continuing application(s) as appropriate.

### **2.4 A TERMINAL DISCLAIMER IS SUBMITTED**

Although claims 194, 195, 197, and 198 have been cancelled herein without prejudice and without disclaimer, Applicants have nevertheless submitted a terminal disclaimer in view of commonly co-owned patent 6,146,653 to the extent that the Examiner would be persuaded to enter such a provisional obviousness-type double patenting rejection on any of the pending and newly-added claims. Applicants, mindful of economic concerns, patent term, and in an effort to

prevent additional lengthy delays, submit this disclaimer voluntarily in an effort to secure speedy allowance of all pending claims.

## 2.5 CONCLUSION

This is a complete response to the referenced Action. It is respectfully submitted that the pending claims are fully enabled by the Specification, that all pending claims are definite, and free of the cited prior art. Applicants believe that the claims are acceptable under all sections of the Statutes and are now in conditions for ready allowance, and that all of the concerns of the Examiner have been resolved. Applicants further respectfully request, therefore, the withdrawal of all rejections and that a Notice of Allowance be issued in the case with all due speed. However, Applicants also note for the record their explicit right to re-file claims to one or more aspects of the invention as originally claimed in one or more continuing application(s) retaining the priority claim from the present and parent cases.

Should the Examiner have any questions, a telephone call to the undersigned Applicants' new representative would be appreciated.

Respectfully submitted,



Mark D. Moore, Ph.D.  
Registration No. 42,903

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HAYNES AND BOONE, LLP  
901 Main Street, Suite 3100  
Dallas, Texas 75202-3789  
Telephone: 713-547-2040  
Facsimile: 214 200-0853  
36697.7